

Since it is relevant and since it is germane and since we did not deal with it in committee, I think the right way to approach it is to say: Let's dispose of it the way we dispose of other differences of opinion. Let's vote on it and let's move on.

If I may say through the Chair, before Senator FEINSTEIN came, I said, in my view, I wanted the Senators and staff to know we would be voting today for the third time on whether to cut off debate, and my hope was that we could dispose of the Cotton amendment at 60 votes and we could then finish the bill.

I also said that while I defended Senator COTTON's right to offer the amendment and that he will get a vote—because the majority leader has the parliamentary tools to file cloture and make sure there is a vote on the Cotton amendment by Wednesday—I intend to vote against the Cotton amendment because I think it risks the possibility that Iran's heavy water might be sold to a country, such as North Korea, that could use it to make nuclear weapons. I think first it should be considered by the Foreign Relations Committee or the Armed Services Committee or the Intelligence Committee. For those reasons, I intend to vote against it.

I am hopeful that when we get to 5:30, maybe conversations would continue, and the possibility could even exist that we could agree today to vote on the Cotton amendment at 60 votes, dispose of it, vote on cloture to move ahead with the bill, and have final passage of the bill. If we can't do that, I see no reason we can't do it over the next couple of days.

I thank the Senator from California for the way she has worked with me on this issue. We have gotten almost to the finish line. She and I would like to set a good example for the other 11 appropriations bills that are coming up. There are other bills beyond that which we need to deal with, such as the 21st-century cures legislation on biomedical research, and there is the Zika legislation that many Senators are interested in. My hope is that we will find a way to resolve the only major issue that remains so we can pass a bill that virtually every Senator in this body has some interest in and will probably vote for.

I am optimistic and hopeful that we can move quickly on disposing of the Cotton amendment so we can finish the bill. Ideally we would do it today, but we can certainly get it done by tomorrow or Wednesday.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mrs. ERNST). Morning business is closed.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2028, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

Pending:

Alexander/Feinstein amendment No. 3801, in the nature of a substitute.

Alexander amendment No. 3804 (to amendment No. 3801), to modify provisions relating to Nuclear Regulatory Commission fees.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent that all time during quorum calls until 5:30 p.m. today be charged equally between both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from California.

Mrs. FEINSTEIN. Madam President, I wish to address the distinguished chairman of this subcommittee. Working with Senator ALEXANDER on this bill has been a very good experience for me, and I think my friend knows that. We take great pride in getting things done.

I very much appreciate his mentioning the standoff on the nuclear cruise missile legislation in some form of analogy, but I will say this: I have been in this body a long time, as has the Senator from Tennessee, and we both know that not everybody gets their vote. It just doesn't work that way. I can remember having an amendment on a bill year after year after year, and I never got a vote for it. That is not an unusual thing to happen. What has been unusual is to have one person take down a bill—particularly an appropriations bill.

We were hoping we could demonstrate that we worked out our difficulties with this legislation. The Senator from Tennessee gave on some points, and I gave on some points. As my friend was good enough to mention, one of the points I gave on is something that I consider to be a very big issue which has not yet been settled, and that is a standoff nuclear cruise missile—and it has not yet been satisfactorily demonstrated to me that it is necessary—and that we do not have a satisfactory conventional weapon that can go through air defense systems. I believe we do. In any event, there is a strong constituency that feels as I do. Senator ALEXANDER has been good enough to give me a hearing and some report language which contains some questions which the Defense Department will hopefully answer forthwith. I appreciate that, and that was enough for me. The standoff nuclear cruise missile is something we need to look more deeply into.

The amendment that our side is so strongly opposed to, accompanied by

the White House, is where one Senator is essentially hitting at the Iran nuclear agreement. The Iran nuclear agreement is not something that all of us don't know a lot about. A great deal of time was spent on it. There was a great deal of discussion both in subcommittees and on the floor, and there was a vote on it. So to a great extent, in my mind, it is very much a settled issue. The President has the right to go ahead with it, and I think that is very important. More importantly, Iran has kept the agreement and Iran has lived up to the terms of this nuclear-related agreement. If one thinks Iran doesn't know what is going on, one is wrong. Some of us went to meet with the Iranian Foreign Minister, and there was a question as to what is happening now, and of course there was concern.

Having said that, the chairman gave me a hearing and some report language. I certainly would have no objection to giving the Senator from Arkansas a hearing, and yet I would not stand here and say that we should not protect the sanctity of that agreement, because I believe we should.

I think the administration has done the right thing with the sale of this heavy water because we know if that heavy water is used in the United States of America, it will be used for peaceful purposes. A lot of it will go to a distinguished lab in the State of the Senator from Tennessee as well as other places. It can be sold to licensed businesses that do medical research and other kinds of manufacturing, such as carbon fiber, et cetera, where the nuclear component of heavy water is helpful. We know that if it goes on the open market, North Korea—if they were to be a buyer—would not use it for peaceful purposes; they would use it to help enrich plutonium for a bomb. So it makes imminent sense to me.

The reason I oppose what is happening so strongly is because it is a strike at the Iran nuclear agreement, and it is seen that way by the administration. The administration has said they will veto the bill if this is in it. I don't want to lose the bill because of this—because of one Senator who wants to strike out with that agreement. I think that is the wrong thing to do.

The Senator from Tennessee has been good enough to discuss this with me, and I really do appreciate that. We have discussed it in our caucus. There are very strong feelings about not moving to cloture until this issue is settled. I would certainly be happy to help settle it. From the conversation Senator ALEXANDER and I had yesterday, it is my understanding that he is willing to oppose it. I trust that is still the case.

I wish to ask a question to the chairman of our subcommittee through the Chair.

Is it correct that the Senator from Tennessee would stand in opposition to this amendment?

Mr. ALEXANDER. Madam President, the answer to that question is yes, and